

file 3.1
Xref 1-2-6

ROUTING AND RECORD SHEET

SUBJECT: (Optional)

Implementation of NSDD-84

FROM:

EXTENSION

NO.

SECOM-D-065 + ER 1128/2-83

DATE

17 March 1983

TO: (Officer designation, room number, and building)

DATE

OFFICER'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

RECEIVED

FORWARDED

1.

OGC

Attn:

3/17

3/17

2.

18 Mar

3.

D/ICS

18 MAR 1983

4.

5.

DDCI

21 MAR 1983

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DCI

24 MAR 1983

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C/SECOM/ICS

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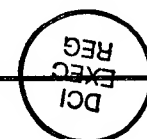
14.

15.

3. For concurrence

5. For concurrence

7. For signature



DIRECTOR OF CENTRAL INTELLIGENCE
Security Committee

SECOM-D-065

17 March 1983

MEMORANDUM FOR: Director of Central Intelligence

VIA: Deputy Director of Central Intelligence
Director, Intelligence Community Staff *ELL* 18 MAR 1983

FROM:
Chairman

SUBJECT: Implementation of NSDD-84

1. Action Requested: That you offer the Attorney General the assistance of the DCI Security Committee's Unauthorized Disclosures Investigations Subcommittee (UDIS) to assist in prioritizing unauthorized disclosures of intelligence for investigation.

2. Background: NSDD-84 states, in section 3, that unauthorized disclosures shall be reported to Justice; that Justice shall determine those cases in which FBI investigation is warranted; and "interested departments and agencies shall be consulted in developing criteria for evaluating such matters and in determining which cases should receive investigative priority." Deputy Assistant Attorney General Mark Richard has advised CIA Associate General Counsel (who also serves as Chairman of UDIS) that he would be interested in having the UDIS assist in this regard.

3. Staff Position: The UDIS, which has studied the unauthorized disclosure situation closely, is uniquely qualified to coordinate judgments within the Intelligence Community and advise Justice on which intelligence disclosures merit greater investigative effort.

4. Recommendation: That you sign the attached memorandum to the Attorney General.

Attachment



SUBJECT: Implementation of NSDD-84

CONCUR:

STAT

[Redacted Signature Box]

18 MAR 1983

Date

STAT

Director, Intelligence Community Staff

[Redacted Signature Box]

21 MAR 1983

Date

Deputy Director of Central Intelligence

Distribution:

Orig - Return to C/SECOM

- 1 - DCI w/Att.
- 1 - DDCI w/Att.
- 2 - ER w/Att.
- 1 - D/ICS w/Att.
- 1 - ICS Reg. w/Att.
- 1 - C/UDIS w/Att.

The Director of Central Intelligence

Washington, D. C. 20505

FR 1188/2-83

The Honorable William French Smith
The Attorney General
Department of Justice
Washington, D. C. 20530

24 MAR 1983

Dear Mr. Attorney General:

NSDD-84, "Safeguarding National Security Information," tasks the Department of Justice to review reported unauthorized disclosures of classified information to determine whether FBI investigation is warranted. It also requires interested departments and agencies to be consulted in developing criteria for evaluating disclosures to determine which cases should receive investigative priority. I understand that Deputy Assistant Attorney General Mark Richard has expressed interest in having my Security Committee and its Unauthorized Disclosures Investigations Subcommittee (UDIS) provide such consultative services on disclosures of intelligence. I offer the services of UDIS and its parent committee to aid Justice in evaluating intelligence disclosures for investigative purposes. If you accept this offer, please have your representative meet with the DCI Security Committee Chairman, [redacted], and the UDIS Chairman, [redacted].

[redacted]

Sincerely,

/s/ William J. Casey

William J. Casey

SUBJECT: Letter to Honorable William French Smith
"Safeguarding National Security Information"

Distribution:

Orig - Addressee

1 - DCI

1 - DDCI

2 - ER

1 - D/ICS

1 - ICS Reg.

1 - C/UDIS

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THE WHITE HOUSE
WASHINGTON

March 11, 1983

*National Security Decision
Directive Number 84*

Safeguarding National Security Information

As stated in Executive Order 12356, only that information whose disclosure would harm the national security interests of the United States may be classified. Every effort should be made to declassify information that no longer requires protection in the interest of national security.

At the same time, however, safeguarding against unlawful disclosures of properly classified information is a matter of grave concern and high priority for this Administration. In addition to the requirements set forth in Executive Order 12356, and based on the recommendations contained in the interdepartmental report forwarded by the Attorney General, I direct the following:

1. Each agency of the Executive Branch that originates or handles classified information shall adopt internal procedures to safeguard against unlawful disclosures of classified information. Such procedures shall at a minimum provide as follows:

a. All persons with authorized access to classified information shall be required to sign a nondisclosure agreement as a condition of access. This requirement may be implemented prospectively by agencies for which the administrative burden of compliance would otherwise be excessive.

b. All persons with authorized access to Sensitive Compartmented Information (SCI) shall be required to sign a nondisclosure agreement as a condition of access to SCI and other classified information. All such agreements must include a provision for prepublication review to assure deletion of SCI and other classified information.

c. All agreements required in paragraphs 1.a. and 1.b. must be in a form determined by the Department of Justice to be enforceable in a civil action brought by the United States. The Director, Information Security Oversight Office (ISOO), shall develop standardized forms that satisfy these requirements.

d. Appropriate policies shall be adopted to govern contacts between media representatives and agency personnel, so as to reduce the opportunity for negligent or deliberate disclosures of classified information. All persons with authorized access to classified information shall be clearly apprised of the agency's policies in this regard.

2. Each agency of the Executive branch that originates or handles classified information shall adopt internal procedures to govern the reporting and investigation of unauthorized disclosures of such information. Such procedures shall at a minimum provide that:

- a. All such disclosures that the agency considers to be seriously damaging to its mission and responsibilities shall be evaluated to ascertain the nature of the information disclosed and the extent to which it had been disseminated.
- b. The agency shall conduct a preliminary internal investigation prior to or concurrently with seeking investigative assistance from other agencies.
- c. The agency shall maintain records of disclosures so evaluated and investigated.
- d. Agencies in the possession of classified information originating with another agency shall cooperate with the originating agency by conducting internal investigations of the unauthorized disclosure of such information.
- e. Persons determined by the agency to have knowingly made such disclosures or to have refused cooperation with investigations of such unauthorized disclosures will be denied further access to classified information and subjected to other administrative sanctions as appropriate.

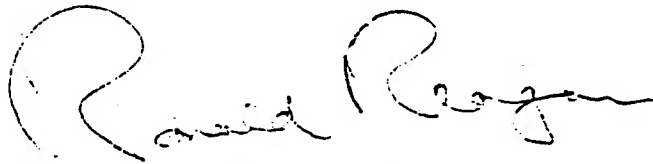
3. Unauthorized disclosures of classified information shall be reported to the Department of Justice and the Information Security Oversight Office, as required by statute and Executive orders. The Department of Justice shall continue to review reported unauthorized disclosures of classified information to determine whether FBI investigation is warranted. Interested departments and agencies shall be consulted in developing criteria for evaluating such matters and in determining which cases should receive investigative priority. The FBI is authorized to investigate such matters as constitute potential violations of federal criminal law, even though administrative sanctions may be sought instead of criminal prosecution.

4. Nothing in this directive is intended to modify or preclude interagency agreements between FBI and other criminal investigative agencies regarding their responsibility for conducting investigations within their own agencies or departments.

5. The Office of Personnel Management and all departments and agencies with employees having access to classified information are directed to revise existing regulations and policies, as necessary, so that employees may be required to submit to polygraph examinations, when appropriate, in the course of investigations of unauthorized disclosures of classified information. As a minimum, such regulations shall permit an agency to decide that appropriate

adverse consequences will follow an employee's refusal to cooperate with a polygraph examination that is limited in scope to the circumstances of the unauthorized disclosure under investigation. Agency regulations may provide that only the head of the agency, or his delegate, is empowered to order an employee to submit to a polygraph examination. Results of polygraph examinations should not be relied upon to the exclusion of other information obtained during investigations.

6. The Attorney General, in consultation with the Director, Office of Personnel Management, is requested to establish an interdepartmental group to study the federal personnel security program and recommend appropriate revisions in existing Executive orders, regulations, and guidelines.

A handwritten signature in cursive script, appearing to read "Ronald Reagan". The signature is written in dark ink on a light background.